

IN THE CIRCUIT COURT OF THE FIFTEENTH  
JUDICIAL CIRCUIT, IN AND FOR PALM BEACH  
COUNTY, FLORIDA.

CIVIL DIVISION

CASE NO. 50-2018-CA-02109-XXXX-MB

PUES FAMILY TRUST IRA

Plaintiff,

vs.

LEV PARNAS, et. al.,

Defendants.

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**JUDGMENT CREDITOR'S MOTION FOR CONTEMPT**

Judgment creditor, PUES FAMILY TRUST IRA ("Pues" or "Judgment Creditor"), pursuant to Fla. R. Civ. P. 1.380(a) moves to compel third party Global Energy Producers, LLC ("GEP") to produce documents responsive to a subpoena judgment creditor issued, upon the following grounds:

1. On or about March 28, 2016, judgment creditor obtained a final judgment against judgment debtors LEV PARNAS and PARNAS HOLDINGS, INC. ("Judgment Debtors"), in the amount of \$510,434.70 with interest to accrue at the rate stated therein. The Judgment was later domesticated in this Court with no objection from the debtors pursuant to the relevant statutes.

2. In execution of this judgment, Pues issued a notice of intent to serve subpoenas and subpoena to GEP.<sup>1</sup> The Notice of intent was served July 26, 2018 to Judgment Debtors, and Judgment Debtors never objected to the Notice of Intent. After 15-day objection period Judgment Creditor served the subpoena on GEP. True and correct copies of the Notice of Intent, Subpoena to GEP, and Verified Return of Service to GEP are attached as Composite Exhibit A.

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<sup>1</sup> The two other subpoenaed parties have responded to their subpoenas, and GEP has not responded whatsoever.

3. GEP is a limited liability company in which judgment debtor LEV PARNAS is associated with. In fact, there have been several prominent news articles connecting him with the entity as “executive” and the business’s principle address is run out of LEV PARNAS’s home located at 7670 La Corniche Circle, Boca Raton, FL 33433. It should be noted that the prominent news articles referenced above involve GEP donating over \$300,000.00 to the America First Super PAC very soon after the incorporation of the entity in April of 2018. It is extremely likely that LEV PARNAS is the direct source of these funds.

4. The Subpoena to GEP, which is very narrowly tailored, requests relevant items involving income information regarding Judgment Debtor LEV PARNAS who has not made any attempts whatsoever at paying or even negotiating settlement of the final judgment. The information requested in the Subpoenas is required in order to aid in locating assets, which could satisfy the final judgment, which was entered in this case. In light of the fact it appears that an entity controlled by LEV PARNAS has the capital to make a donation to a PAC when LEV PARNAS has a substantial judgment against him, would lead judgment creditor to believe there are significant information possessed by GEP.

5. Notwithstanding service of the Subpoena; GEP never responded to the Subpoena (with an objection or otherwise), and no one has responded on their behalf regarding the production. Furthermore prior to service of the Subpoenas, as stated above, in accordance with the rules of civil procedure, Judgment Creditor filed and served on Defendant LEV PARNAS a Notice of Intent to Serve Subpoenas, which gave him an opportunity to object. No objection to the notice of intent was ever made, so service of the subpoenas was more than proper under rules.

6. Subsequently Judgment Creditor filed a Motion to Compel Production pursuant to the local rules of court. On October 22, 2018, the Court granted the Motion to Compel and ordered GEP/Parnas produce the records requested of the entity in ten days. As of the writing of this Motion,

the records have not been produced. The Order states clearly that if the documents are not produced then GEP will be held in Contempt.

7. It should be noted that the rule governing use of subpoenas duces tecum (Fla. R. Civ. P. 1.410) is to be considered *in pari materia* with the rule governing production of documents and things (Fla. R. Civ. P. 1.350). *Kennedy v. Kennedy* 298 So.2d 525 at 526. As such an order of contempt for a third party (let alone one run by the Defendant in this case) under Fla. R. Civ. P. 1.380 is proper. As such, judgment creditor is entitled to an award of its reasonable fees incurred in the preparation of this motion and related materials (such as affidavits in support). *See Wilcoxon v. Moller*, 2014 Fla. App. LEXIS 166 (Fla. Dist. Ct. App. 4th Dist. Jan. 8 2014). Furthermore, an order of civil contempt directed at GEP/Parnas is warranted as a measure to coerce GEP/Parnas to produce the records. The order should levy a monetary sanction on those GEP/Parnas until the documents are produced.

**WHEREFORE**, Judgment Creditor respectfully requests that the court enter an Order and order of contempt that would award costs and attorneys' fees associated with the preparation of this Motion and the motion to compel; an monetary sanction penalizing GEP/Parnas daily until the documents requested are produced; and any such other relief this Court finds just and proper.

Dated: November 14, 2018

ANDRE LAW FIRM P.A.  
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By: /s/ Tony Andre  
Tony André, Esq.  
Florida Bar No. 0040587

**Certificate of Service**

I certify that on November 14, 2018, a copy hereof has been furnished to the following recipients by first-class United States mail or electronic mail (via the e-portal service) as indicated below:

Lev Parnas  
Global Energy Producers LLC  
7670 La Conrniche Circle  
Boca Raton, FL 33433

/s/ Tony Andre  
TONY ANDRE